

ORDINANCE NO. 1961

AN ORDINANCE TO INCREASE PENALTIES WITHIN THE VILLAGE OF DENNISON, OHIO FOR LITTERING, TRASH, WASTE AND RUBBISH

Be it ordained by the Council of the Village of Dennison, State of Ohio.

521.08 Littering and Deposit of Garbage, Rubbish, Junk, Etc.

(a) No person shall, regardless of intent, throw, drop, discard, place or deposit litter or cause litter to be thrown, dropped, discarded, placed or deposited on any public property, on private property not owned by him, or in or on waters of the State, the Municipality or waters not owned by him unless the person has:

- (1) Been directed to do so by a public official as part of a litter collection drive.
- (2) Thrown, dropped, discarded, place or deposited the litter in a litter receptacle in a manner that prevents its being carried away by the elements; or
- (3) Been issued a permit or license covering the litter pursuant to Ohio R.C. Chapter 3134 or 6111.

(b) As used in this section, "litter" means garbage, trash, waste, rubbish, ashes, cans, bottles, wire, paper, cartons, boxes, automobile parts, furniture, glass or anything else of an unsightly or unsanitary nature. (ORC 3767.32)

(c) No person shall cause or allow litter to be collected or remain in any place to the damage or prejudice of others or of the public, or unlawfully obstruct, impede, divert, corrupt or render unwholesome or impure, any natural watercourse.

(d) Whoever violates subsection (c) hereof, is guilty of a misdemeanor of the third degree. The sentencing court may, in addition to or in lieu of the penalty provided in this subsection require a person who violates subsection (a) hereof to remove litter from any public or private property, or in or on any waters. (ORC 3767.99) (C)

(e) Whoever violates subsection (c) hereof is guilty of a misdemeanor of the fourth degree. The sentencing Court may, in addition to or in lieu of the penalty provided in this section require a person who violates subsection (c) hereof to remove litter from any public or private property or in, or on any waters.

Previous Code Section No. 521.08 is hereby amended consistent with the above ordinance.

This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety; wherefore, this ordinance shall be in full force and effect immediately after its passage.

PASSED this 7<sup>th</sup> DAY OF JANUARY, 1993.

**APPROVED:**

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Paul Collins, MAYOR

**ATTEST:**

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Ronnie Vinci, CLERK

**APPROVED AS TO FORM:**

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Brad Hillyer, VILLAGE SOLICITOR